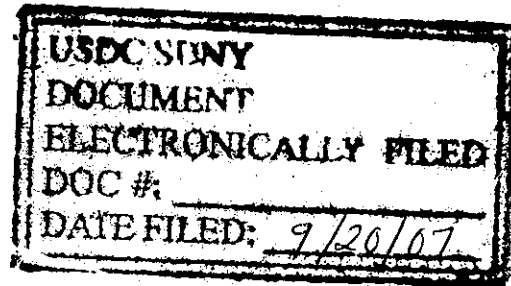


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IOANNIS VOULELAKIS (A# 75 559 608),

Plaintiff,

-vs-

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES,

Defendant.

07 Civ. 3582 (AJP)

BCF Case

STIPULATION AND
ORDER OF
SETTLEMENT AND
DISMISSAL

WHEREAS, plaintiff Ioannis Voulelakis, a native and citizen of Greece, filed the above-captioned action challenging the denial of his N-400 application for naturalized citizenship by the United States Citizenship and Immigration Services (the "USCIS");

WHEREAS, in a decision dated August 2, 2006, USCIS denied Voulelakis's application on the grounds that he allegedly: (1) did not meet the requirement that he be physically present within the United States for at least half of the five-year period preceding his application; and (2) secured Lawful Permanent Resident ("LPR") status by fraud or willful misrepresentation, by failing to reveal in his 1997 application for adjustment of status that he had a 1987 military conviction for insubordination, based on his refusal as a conscientious objector to be conscripted into the Greek

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military;

WHEREAS, in his subsequent naturalization application, Voulelakis volunteered the details of his military conviction;

WHEREAS, Voulelakis challenged the denial of his naturalization application by filing a Form N-336 Request for a Hearing on a Decision in Naturalization Proceedings, which was accompanied by an affidavit in which Voulelakis attempted to explain why his omission of his military conviction in his adjustment application was an honest mistake and was not intended to deceive USICS;

WHEREAS, in a decision dated January 4, 2007, USCIS affirmed the denial of Voulelakis's naturalization application based on his alleged misrepresentation, without addressing its reason for rejecting Voulelakis's explanation, or identifying any evidence supporting the finding that the alleged misrepresentation was knowing and willful;

NOW, THEREFORE, IT IS STIPULATED AND AGREED, by and between the undersigned counsel for the parties, as follows:

1. That plaintiff's application be remanded to the USCIS with the instruction that the USCIS render a new decision with respect to the application within 90 days of the date of entry of this Stipulation and Order.
2. The above-captioned complaint is hereby dismissed without prejudice and without costs or attorney's fees to any party.
3. The plaintiff and the Government understand and agree that this Stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements,

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or negotiations, oral or otherwise, between the parties or their counsel that are not included herein
shall be of any force or effect.

Dated: Brooklyn, New York
September 18, 2007

By: Carolyn R. Wae
CAROLYN R. WAE, ESQ.
Watchtower Bible and Tract Society of
New York, Inc., Legal Department
25 Columbia Heights
Brooklyn New York, NY 11201
Attorney for Plaintiff

Dated: New York, New York
September 18, 2007

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendant

By: Andrew M. Menella
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SO ORDERED:

Andrew J. Peck
ANDREW J. PECK
United States Magistrate Judge

BY FAX